

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 4, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Bernie Heier
Larry Hudkins
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Diane Staab, Deputy County Attorney
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 27, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Heier seconded approval of the minutes of April 27, 1999. On call Campbell, Hudkins, Heier and Workman voted aye. Steinman abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 72 additions and deductions to the tax assessment rolls per Exhibit A. (1999868)

MOTION: Workman moved and Hudkins seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

BryanLGH Medical Center (1)
Capitol City Christian Church (3)
Cornhusker Council, BSA (4)
Nebraska Wesleyan University (1)

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Capitol City Christian Church, Nebraska Wesleyan University and Cornhusker Council, BSA, with the exception of a 1987 Oldsmobile station wagon which was denied because it was untimely filed and to approve a motor vehicle tax exemption for BryanLGH Medical Center subject to the vehicle(s) being titled and registered to the applicant. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **APPROVAL OF 1999 451A TAX EXEMPTION APPLICATIONS ON REAL PROPERTY PER EXHIBIT B:**

MOTION: Steinman moved and Heier seconded approval of 1999 451A tax exemption applications on real property per Exhibit "B". On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization was adjourned.

Bruce Medcalf
County Clerk

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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 27, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Workman moved and Hudkins seconded approval of the minutes of April 27, 1999. On call Campbell, Hudkins, Heier and Workman voted aye. Steinman abstained. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 4, 1999.**

MOTION: Hudkins moved and Workman seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

The Clerk said there had been a request to move New Business Item "G" forward.

Resolution 99-877 designating Highway 77, from Beatrice to I-80 as the Homestead Heritage Expressway. (1999877)

Allen Grell, Gage County Supervisor and representative of the Friends of Homestead National Monument of America, appeared and requested the support of the Lancaster County Board.

MOTION: Steinman moved and Hudkins seconded approval of Resolution 99-877.

The Chair read the resolution into the record.

ROLL CALL: Steinman, Workman, Heier, Campbell and Hudkins voted aye.
Motion carried.

4) **PUBLIC HEARINGS:**

County Change of Zone 185, from AG Agricultural to B Business, requested by Mary and Eugene Benes, on property located one-quarter mile west of the corner of Northwest 70th Street and Agnew Road, west of the unincorporated town of Agnew in Lancaster County, Nebraska. (1999575)

The Chair opened the public hearing and asked if anyone wished to appear in favor of the Change of Zone.

The Clerk administered the oath to Mary and Eugene Benes, applicants of Change of Zone 185.

Mary Benes appeared and explained that she and her husband, Eugene Benes, own a heating and air conditioning business which they want to expand.

Diane Staab, Deputy County Attorney, inquired about the recommendations from the Health Department regarding a handpump water well and a fuel tank.

Mike DeKalb, Planning Department, stated the Health Department recommendations can be addressed when the administrative subdivision plat is submitted.

Mrs. Benes appeared and stated they intend to cap the handpump water well and remove the fuel tank.

The Chair asked if anyone wished to testify in opposition or in a neutral position.

No one appeared and the hearing was closed.

MOTION: Steinman moved and Heier seconded approval of County Change of Zone 185. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **OLD BUSINESS:**

- A. County Change of Zone 183 from "AG" Agricultural to "B" Business, requested by Eugene Benes, on property located south and west of the corner of Northwest 70th Street and Agnew Road, south of the unincorporated town of Agnew in Lancaster County, Nebraska. (1999371)**

At the direction of the Chair, County Change of Zone 183 was dropped from the agenda.

- B. An application for a Corporate Manager from Andrew D Reetz in connection with a Class H (Non-profit Corporation) liquor license for Hillcrest Country Club located at 8901 "O" Street in Lancaster County, Nebraska. (1999695) (1999813) (1999683) (1999878)**

MOTION: Steinman moved and Heier seconded approval of Resolution 98-878.

Workman noted that the Board has been requesting applicants to attend the "Responsible Hospitality" workshop, but due to Mr. Reetz's membership in the Country Club Managers Association of America (CCMAA), which also promotes beverage responsibility, they will not request attendance at the workshop.

ROLL CALL: Steinman, Workman, Campbell, Hudkins and Heier voted aye.
Motion carried.

6) **NEW BUSINESS:**

- A. An application for a Special Events Permit from Lincoln/Lancaster Habitat for Humanity to hold a fund-raising bike ride on Saturday, July 10, 1999, beginning at 8 a.m. and ending at 12:30 p.m. (1999623) (1999734) (1999815) (1999778)**

The Chair noted that the applicant had requested a one week deferral to Tuesday, May 11, 1999.

- B. Applications for two Special Events Permits from the Nebraska Sports Council/Cornhusker State Games to hold the following: (1999516) (1999517) (1999532) (1999545) (1999544) (1999576)**

1. Cycling time trials and a road race on Saturday, July 17, 1999 from 9 a.m. to 5 p.m. beginning near Liebers Point on the west side of Branched Oak Lake
2. Triathlon competition on Sunday, July 18, 1999 beginning at 7:30 a.m. at Liebers Point on the west side of Branched Oak Lake

Tom Ash, Executive Director, and Jeff Miller, Events Coordinator, appeared on behalf of the Nebraska Sports Council/Cornhusker State Games.

Miller stated there are 47 events involved and encouraged everyone's participation.

In response to a question asked by Hudkins regarding the triathlon, Miller explained that a triathlon consists of three events: swimming, cycling and running.

MOTION: Hudkins moved and Heier seconded approval of two Special Events Permits from the Nebraska Sports Council/Cornhusker State Games. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

C. Approval of a grant contract with Cedars Youth Services, in the amount of \$24,810 for Juvenile Diversion Youth Services from July 1, 1998 to June 30, 1999. (1999876)

MOTION: Steinman moved and Heier seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

D. Supplemental Agreement No 1 with the State of Nebraska, Department of Roads for Lancaster County to provide supervision and inspection of a road construction project at South 56th Street, from Saltillo Road to Yankee Hill Road (Project No STPE-3355(1)). (1999859)

MOTION: Hudkins moved and Workman seconded approval.

Campbell asked when the project would begin.

Larry Worrell, County Surveyor, stated he didn't know.

ROLL CALL: Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

E. Recommendation from the Purchasing Agent and the County Engineer to award a bid for cleaning services for County Engineer's facilities to White Glove Janitorial. This is a one year agreement with 2 one year renewal options for a total cost of \$9,900 per contract year. (1999870)

MOTION: Hudkins moved and Steinman seconded approval.

Workman noted there were three bids and asked why there was such a large difference between the first bid and third bids.

Kathy Smith, Assistant Purchasing Agent, stated she didn't know the reason, but speculated it was either a misunderstanding of the scope of services or a miscalculation.

ROLL CALL: Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

F. Ratify the second renewal of a contract for removal of dead animals from county roadways with Industrial Services, Inc. (Lincoln, NE) for the County Sheriff. Term of the renewal period is from July 1, 1999 to June 30, 2000. (1999869)

MOTION: Steinman moved and Heier seconded approval. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

G. Resolution 99-877 designating Highway 77, from Beatrice to I-80 as the Homestead Heritage Expressway. (1999877)

This item was acted on previously.

H. Appointment of Betsy Palmer to the County/City Board of Health to fill the unexpired term of Debbie Brehm, term to expire on April 15, 2000. (1999874)

MOTION: Steinman moved and Workman seconded approval. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

I. Reappointment of Cindy Johnson, Larry Hudkins and Rodrigo Cantarero to a 3-year term on the County/City Board of Health, terms to expire on April 15, 2002. (1999873)

MOTION: Steinman moved and Heier seconded approval. On call Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

J. A political subdivision tort claim filed against the Lancaster County Engineer by Michelle Mulbery for damaged property. (1999819)

Diane Staab, Deputy County Attorney, explained Sue Eckley, Workers Compensation and Risk Management Manager, investigated the claim and recommended denial. The County Attorney's office concurred with the recommendation.

MOTION: Steinman moved and Heier seconded to accept the recommendation of Sue Eckley, Workers Compensation and Risk Management Manager, and the County Attorney's office, to deny the tort claim filed by Michelle Mulbery. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

K. An escrow closing agreement in connection with the purchase of real estate located at 1221 Dairy Drive, Lincoln, NE. (1999875)

MOTION: Heier moved and Steinman seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Setting of a public hearing for Tuesday, May 11, 1999 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding a Corporate Manager application from Barry A Townsend in connection with a Class K (Wine Off Sale Only) and a Class E (Beer Off Sale Only) for Whitehead Inc dba/U-Stop Convenience Shop located at 6600 North 84th Street in Lancaster County, Nebraska. (1999825)**
- B. Setting of public hearings for Tuesday, May 18, 1999 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:**
- 1. County Change of Zone 187, from AG Agricultural to I Industrial, requested by Nebraska Retail Ventures, on property located south of the corner of Highway 43 and Nebraska Highway 2 (Bennet Corner). (1999854)**
 - 2. County Change of Zone 188, from AG Agricultural to I Industrial, requested by Nebraska Retail Ventures, on property located east of the corner of Highway 43 and Nebraska Highway 2 (Bennet Corner). (1999853)**
 - 3. Geographic Information Systems (GIS) Interlocal Agreement. (1999852)**
 - 4. County Change of Zone 182, from AG Agricultural to AGR Residential, requested by Robert Ross of Ross Engineering on behalf of Walker Farms, on property located south and west of the corner of Southwest 27th Street and Rokeby Road. (1999866)**
 - 5. County Preliminary Plat 98032, requested by Robert Ross of Ross Engineering on behalf of Walker Farms, for 14 lots, on property located south and west of the corner of Southwest 27th Street and Rokeby Road. (1999867)**
- C. Contracts relating to road improvements with the following:**
- * Rick Schmutte on Mill Road near South 54th Street, in the amount of \$10. (1999860)**
 - * Brian Etmund on Wittstruck Road near South 54th Street, in the amount of \$10. (1999861)**
 - * Herbert K Smail and Margaret E Smail on West Mill Road near NW 126th Street. This is a land donation. (1999862)**
 - * Joel Douglass on West Yankee Hill Road near Southwest 70th Street, in the amount of \$10. (1999863)**
 - * Doug Althouse on North 162nd Street near Holdrege Street, in the amount of \$10. (1999864)**

- * **National Bank of Commerce - Trustee on Adams Street near North176th Street, in the amount of \$9.00. (1999865)**

MOTION: Heier moved and Workman seconded approval of the Consent Items. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

8) **DISCUSSION:**

Discussion with the County Clerk's office on revisions to the "Guidelines for Public Participation at Meetings of the Lancaster County Board of Commissioners" and "Welcome to the County Board of Commissioners Meeting" letter.

Bruce Medcalf, County Clerk, stated he and Gwen Thorpe, Deputy County Clerk, are working on the revisions and requested that the item be placed on a Thursday staff meeting for discussion.

9) **ANNOUNCEMENTS:**

It was noted that the County Board's staff meeting on Thursday, May 6, 1999 will begin at 8 a.m. instead of 8:15 a.m.

10) **OTHER BUSINESS:**

- A. Larry Worrell, County Surveyor, stated the project in connection with New Business Item D (road construction project at South 56th Street) will begin on May 24, 1999.
- B. Bernie Heier introduced a delegation of Parliament members from Bangladesh who are visiting local governments in the United States.
- C. The following changes have been made to the County Board's calendar regarding budget hearings and Board of Equalization valuation protests:
 - * Tuesday, July 13, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm
 - * Wednesday, July 14, 1999 - - Board of Equalization Valuation Protests 9 am to Noon and Budget Overview and Staff Meeting in the afternoon
 - * Thursday, July 15, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm
 - * Friday, July 16, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm
 - * Tuesday, July 20, 1999 - - County Board meeting in the afternoon and Board of Equalization Valuation Protests until 8 pm
 - * Wednesday, July 21, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm
 - * Thursday, July 22, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm

- * Friday, July 23, 1999 - - Board of Equalization Valuation Protests 9 am to 8 pm
- * Saturday, July 24, 1999 - - Board of Equalization Valuation Protests 8 am

The public hearing regarding Lancaster County's budget will be held on Tuesday, August 17, 1999 at 7 p.m. instead of Tuesday, August 10, 1999.

Adoption of the County's budget will be on Tuesday, August 31, 1999 instead of August 24th.

- D. On Tuesday, June 22, 1999 a Juvenile Detention Facility meeting will be held from 9:30 a.m. to 11:30 a.m.
- E. Tuesday, May 25, 1999 the Lancaster County Board will hold a meeting with River Oaks Communications Corporation immediately their regular County Board meeting.
- F. The Lancaster County Board of Commissioners will not have a staff meeting on Thursday, July 22, 1999.

11) **ADJOURNMENT:**

MOTION: Heier moved and Steinman seconded adjournment. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk